

Exhibit 1

1 MELINDA HAAG (CABN 132612)
United States Attorney
2 DAVID R. CALLAWAY (CABN 121782)
3 Chief, Criminal Division
4 J. DOUGLAS WILSON (DCBN 412811)
LLOYD FARNHAM (CABN 202231)
5 SARAH K. HAWKINS (CABN 257723)
Assistant United States Attorneys
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10 Attorneys for United States of America

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 v.
17 IVAN SPEED,
18 Defendant.

19 Case No. 13-CR-753 EMC

20 DECLARATION OF SARAH HAWKINS
21 IN SUPPORT OF UNITED STATES'
22 MOTION

23 UNITED STATES OF AMERICA,
24 Plaintiff,
25 v.
26 DAVID MADLOCK and MATTHEW
27 MUMPHRY,
Defendants.

28 Case No. 14-CR-643 EMC

29 UNITED STATES OF AMERICA,
Plaintiff,
v.
30 LATONYA CAREY,
Defendant.

31 Case No. 15-CR-004 EMC

32 DECLARATION OF SARAH HAWKINS
33 CASE NO. 13-CR-753 EMC

1 UNITED STATES OF AMERICA,
2 Plaintiff,

3 v.
4 CRYSTAL ANTHONY,
5 Defendant.

Case No. 15-CR-005 EMC

6 UNITED STATES OF AMERICA,
7 Plaintiff,

8 v.
9 DARELL POWELL,
10 Defendant.

Case No. 15-CR-006 EMC

11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 v.
14 DARLENE ROUSE,
15 Defendant.

Case No. 15-CR-027 EMC

16 UNITED STATES OF AMERICA,
17 Plaintiff,

18 v.
19 ACACIA McCNEAL,
20 Defendant.

Case No. 15-CR-028 EMC

21 UNITED STATES OF AMERICA,
22 Plaintiff,

23 v.
24 ANITA DIXON and ERWIN MACKEY,
25 Defendants.

Case No. 15-CR-043 EMC

26 UNITED STATES OF AMERICA,
27 Plaintiff,

28 v.
ERWIN MACKEY,
Defendant.

Case No. 15-CR-138 EMC

1 UNITED STATES OF AMERICA,
2 Plaintiff,
3 v.
4 AARON MATHEWS,
Defendant.

Case No. 15-CR-049 EMC

5 UNITED STATES OF AMERICA,
6 Plaintiff,
7 v.
8 NIJAH REED,
Defendant.

Case No. 15-CR-050 EMC

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 TIANA REDDIC,
Defendant.

Case No. 15-CR-052 EMC

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 v.
17 TIFFANY CROSS,
Defendant.

Case No. 15-CR-059 EMC

19 UNITED STATES OF AMERICA,
20 Plaintiff,
21 v.
22 SHOLANDA ADAMS,
Defendant.

Case No. 15-CR-070 EMC

1 I, Sarah Hawkins, declare and state as follows:

2 1. I am an Assistant United States Attorney currently assigned to the General Crimes
3 Section of the United States Attorney's Office for the Northern District of California. I do not have the
4 authority to commence a federal prosecution. Instead, I make recommendations to my supervisors in the
5 Section or in the Criminal Division regarding federal prosecutions. Once prosecutions are approved, I
6 present the cases to the federal grand jury and litigate those cases in district court.

7 2. I recommended federal prosecution of the following defendants Operation Safe Schools
8 Defendants currently before this Court.

- 9 a. David Madlock and Mathew Mumphrey, CR 14-0643 EMC
10 b. Latonya Carey, CR 15-0004 EMC
11 c. Crystal Anthony, CR 15-0005 EMC
12 d. Darlene Rouse, CR 15-0027 EMC
13 e. Anita Dixon and Erwin Mackey, CR 15-0043 EMC
14 f. Aaron Mathews, CR 15-0049 EMC
15 g. Tiffany Cross, CR 15-0059 EMC
16 h. Sholanda Adams, CR 15-0070 EMC

17 3. In addition to the defendants currently before this Court, I recommended federal
18 prosecution of the following defendants as part of Operation Safe Schools.

- 19 a. Irisha Smith, CR 14-0641 WHA
20 b. Holbert Lee, CR 15-0056 EMC

21 4. For each case listed above, I recommended federal prosecution because in my review of
22 the evidence each individual's conduct constituted a violation of Sections 841(a)(1) and 860 of Title 21
23 of the United States Code, and the admissible evidence was probably sufficient to obtain and sustain a
24 conviction.

25 5. For each case listed in paragraphs 2 and 3 above, I was provided an account of the
26 individual's conduct memorialized in a Drug Enforcement Administration Form 6, surveillance video of
27 drug buys taken by the San Francisco Police Department, and the criminal history of the defendant. I
28 reviewed this evidence for each defendant and recommended prosecution based on my assessment of the

1 conduct contained therein. I did not consider the defendant's race in my review of the evidence or in my
2 determination to prosecute any individual.

3 6. The government is lodging the surveillance video for each of the above-referenced cases
4 as an attachment to this motion. I affirm that the videos provided are true and accurate copies of the
5 videos that I received from DEA and reviewed prior to recommending federal prosecution of the above-
6 listed defendants.

7 7. After reviewing the evidence, I submitted each proposed indictment to a supervisor for
8 review.

9 8. I submitted proposed indictments for review in the following cases to Assistant United
10 States Attorney Daniel Kaleba, who is the Deputy Chief of the General Crimes Section:

- 11 a. Crystal Anthony, CR 15-0005 EMC
- 12 b. Darlene Rouse, CR 15-0027 EMC
- 13 c. Anita Dixon and Erwin Mackey, CR 15-0043 EMC
- 14 d. Aaron Mathews, CR 15-0049 EMC
- 15 e. Tiffany Cross, CR 15-0059 EMC
- 16 f. Sholanda Adams, CR 15-0070 EMC

17 AUSA Kaleba approved these indictments.

18 9. I submitted proposed indictments for review in the following cases to Assistant United
19 States Attorney Kevin Barry, who is the Chief of the General Crimes Section:

- 20 a. David Madlock and Mathew Mumphrey, CR 14-0643 EMC
- 21 b. Latonya Carey, CR 15-0004 EMC

22 AUSA Barry approved these indictments.

23 10. I did not participate in the charging decisions involving the Operation Safe Schools cases
24 that were submitted to Assistant United States Attorney Lloyd Farnham. AUSA Farnham did not
25 participate in the charging decisions in any Operation Safe Schools cases listed in paragraphs 2 and 3
26 that were submitted to me for review.

27 I declare under penalty of perjury that the foregoing is true and correct.

28 Executed on July ___, 2015, in San Francisco, California.

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SARAH HAWKINS
Assistant United States Attorney

1 MELINDA HAAG (CABN 132612)
United States Attorney
2 DAVID R. CALLAWAY (CABN 121782)
3 Chief, Criminal Division
4 J. DOUGLAS WILSON (DCBN 412811)
LLOYD FARNHAM (CABN 202231)
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10 Attorneys for United States of America

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

15 Case No. 13-CR-753 EMC

Plaintiff,

v.

16 IVAN SPEED,
17 Defendant.

**DECLARATION OF LLOYD FARNHAM
IN SUPPORT OF UNITED STATES'
MOTION**

20 UNITED STATES OF AMERICA,

21 Case No. 14-CR-643 EMC

Plaintiff,

v.

22 DAVID MADLOCK and MATTHEW
23 MUMPHRY,
Defendants.

25 UNITED STATES OF AMERICA,

26 Case No. 15-CR-004 EMC

Plaintiff,

v.

27 LATONYA CAREY,
28 Defendant.

DECLARATION OF LLOYD FARNHAM
CASE NO. 13-CR-753 EMC

1 UNITED STATES OF AMERICA, Case No. 15-CR-005 EMC
2 Plaintiff,
3 v.
4 CRYSTAL ANTHONY,
5 Defendant.

6 UNITED STATES OF AMERICA, Case No. 15-CR-006 EMC
7 Plaintiff,
8 v.
9 DARELL POWELL,
10 Defendant.

11 UNITED STATES OF AMERICA, Case No. 15-CR-027 EMC
12 Plaintiff,
13 v.
14 DARLENE ROUSE,
15 Defendant.

16 UNITED STATES OF AMERICA, Case No. 15-CR-028 EMC
17 Plaintiff,
18 v.
19 ACACIA McCNEAL,
20 Defendant.

21 UNITED STATES OF AMERICA, Case No. 15-CR-043 EMC
22 Plaintiff,
23 v.
24 ANITA DIXON and ERWIN MACKEY,
25 Defendants.

26 UNITED STATES OF AMERICA, Case No. 15-CR-138 EMC
27 Plaintiff,
28 v.
ERWIN MACKEY,
Defendant.

1 UNITED STATES OF AMERICA,

2 Plaintiff,

3 v.

4 AARON MATHEWS,

5 Defendant.

Case No. 15-CR-049 EMC

6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 v.

9 NIJAH REED,

10 Defendant.

Case No. 15-CR-050 EMC

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 TIANA REDDIC,

15 Defendant.

Case No. 15-CR-052 EMC

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 TIFFANY CROSS,

20 Defendant.

Case No. 15-CR-059 EMC

21 UNITED STATES OF AMERICA,

22 Plaintiff,

23 v.

24 SHOLANDA ADAMS,

25 Defendant.

Case No. 15-CR-070 EMC

1 I, Lloyd Farnham, declare and state as follows:

2 1. I am an Assistant United States Attorney currently assigned to the General Crimes
3 Section of the United States Attorney's Office for the Northern District of California. I do not have the
4 authority to commence a federal prosecution. Instead, I make recommendations to my supervisors in the
5 Section or in the Criminal Division regarding federal prosecutions. Once prosecutions are approved, I
6 present the cases to the federal grand jury and litigate those cases in district court.

7 2. I recommended federal prosecution of the following defendants Operation Safe Schools
8 Defendants currently before this Court.

- 9 a. Darell Powell, CR 15-0006 EMC
10 b. Acacia McNeal, CR 15-0028 EMC
11 c. Nijah Reed, CR 15-0050 EMC
12 d. Tiana Reddic, CR 15-0052 EMC

13 3. In addition to the defendants currently before this Court, I recommended federal
14 prosecution of the following defendants as part of Operation Safe Schools.

- 15 a. Jahnai Carter and Andre Patterson, CR 14-0642 MMC
16 b. Ashley Pharr, CR 15-0007 CRB
17 c. Lakeysha White, CR 15-0029 EMC
18 d. Ebony Wallace, CR 15-0061 CRB
19 e. Vernon Hill, aka Kali Muhammed, CR 15-0068 CRB
20 f. William Brown, CR 15-0069 TEH

21 4. For each case listed above, I recommended federal prosecution because in my review of
22 the evidence each individual's conduct constituted a violation of 21 U.S.C. §§841(a)(1) and 860 and the
23 admissible evidence was probably sufficient to obtain and sustain a conviction.

24 5. For each case listed in numbers 2 and 3 above, I was provided an account of the
25 individual's conduct memorialized in a Drug Enforcement Administration Form 6, surveillance video of
26 drug buys taken by the San Francisco Police Department, and the criminal history of the defendant. I
27 reviewed this evidence for each defendant and recommended prosecution based on my assessment of the
28 conduct contained therein. I did not consider the defendant's race in my review of the evidence or in my

1 determination to prosecute any individual.

2 6. The government is lodging the surveillance video for each of the above-referenced cases
3 as an attachment to this motion. I affirm that the videos provided are true and accurate copies of the
4 videos that I received from DEA and reviewed prior to recommending federal prosecution of the above-
5 listed defendants.

6 7. After reviewing the evidence, I submitted each proposed indictment to a supervisor for
7 review.

8 8. I submitted proposed indictments for review in the following cases to Assistant United
9 States Attorney Daniel Kaleba, who is the Deputy Chief of the General Crimes Section:

- 10 a. Acacia McNeal, CR 15-0028 CRB
- 11 b. Lakeysha White, CR 15-0029 EMC
- 12 c. Nijah Reed, CR 15-0050 RS
- 13 d. Tiana Reddic, CR 15-0052 WHA
- 14 e. Ebony Wallace, CR 15-0061 CRB
- 15 f. Vernon Hill, a/k/a Kali Muhammed, CR 15-0068 CRB
- 16 g. William Brown, CR 15-0069 TEH

17 AUSA Kaleba approved these indictments.

18 9. I submitted proposed indictments for review in the following cases to Assistant United
19 States Attorney Kevin Barry, who is the Chief of the General Crimes Section:

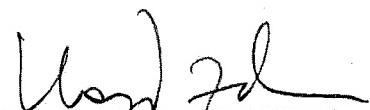
- 20 a. Jahnai Carter and Andre Patterson, CR 14-0642 MMC
- 21 b. Darell Powell, CR 15-0006 WHA
- 22 c. Ashley Pharr, CR 15-0007 CRB

23 AUSA Barry approved these indictments.

24 10. I did not participate in the charging decisions involving the Operation Safe Schools cases
25 that were submitted to Assistant United States Attorney Sarah Hawkins. AUSA Hawkins did not
26 participate in the charging decisions in any Operation Safe Schools cases listed in paragraphs 2 and 3
27 that were submitted to me for review.

28 //

1 I declare under penalty of perjury that the foregoing is true and correct.
2 Executed on July 16, 2015, in San Francisco, California.

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4 
5 LLOYD FARNHAM
6 Assistant United States Attorney
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1 MELINDA HAAG (CABN 132612)
United States Attorney
2 DAVID R. CALLAWAY (CABN 121782)
3 Chief, Criminal Division
4 J. DOUGLAS WILSON (DCBN 412811)
LLOYD FARNHAM (CABN 202231)
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9 Attorneys for United States of America
10

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 IVAN SPEED,

18 Defendant.
19

Case No. 13-CR-753 EMC

**DECLARATION OF KEVIN J. BARRY
IN SUPPORT OF UNITED STATES'
MOTION**

20 UNITED STATES OF AMERICA,

21 Plaintiff,

22 v.

23 DAVID MADLOCK and MATTHEW
MUMPHRY,

24 Defendants.

Case No. 14-CR-643 EMC

25 UNITED STATES OF AMERICA,

26 Plaintiff,

27 v.

28 LATONYA CAREY,

Defendant.

Case No. 15-CR-004 EMC

DECLARATION OF KEVIN J. BARRY
CASE NO. 13-CR-753 EMC

1 UNITED STATES OF AMERICA, Case No. 15-CR-005 EMC

2 Plaintiff,

3 v.

4 CRYSTAL ANTHONY,

Defendant.

5 UNITED STATES OF AMERICA, Case No. 15-CR-006 EMC

6 Plaintiff,

7 v.

8 DARELL POWELL,

Defendant.

10 UNITED STATES OF AMERICA, Case No. 15-CR-027 EMC

11 Plaintiff,

12 v.

13 DARLENE ROUSE,

Defendant.

14 UNITED STATES OF AMERICA, Case No. 15-CR-028 EMC

15 Plaintiff,

16 v.

17 ACACIA McCNEAL,

Defendant.

19 UNITED STATES OF AMERICA, Case No. 15-CR-043 EMC

20 Plaintiff,

21 v.

22 ANITA DIXON and ERWIN MACKEY,

Defendants.

23 UNITED STATES OF AMERICA, Case No. 15-CR-138 EMC

24 Plaintiff,

25 v.

26 ERWIN MACKEY,

Defendant.

1 UNITED STATES OF AMERICA,
2 Plaintiff,
3 v.
4 AARON MATHEWS,
Defendant.

Case No. 15-CR-049 EMC

5 UNITED STATES OF AMERICA,
6 Plaintiff,
7 v.
8 NIJAH REED,
Defendant.

Case No. 15-CR-050 EMC

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 TIANA REDDIC,
Defendant.

Case No. 15-CR-052 EMC

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 v.
17 TIFFANY CROSS,
Defendant.

Case No. 15-CR-059 EMC

19 UNITED STATES OF AMERICA,
20 Plaintiff,
21 v.
22 SHOLANDA ADAMS,
Defendant.

Case No. 15-CR-070 EMC

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1 I, Kevin J. Barry, declare and state as follows:

2 1. I am an Assistant United States Attorney and Chief of the General Crimes Section of the
3 United States Attorney's Office for the Northern District of California. I have been delegated the
4 authority by the United States Attorney to commence federal prosecutions and to recommend
5 prosecutions to the federal grand jury.

6 2. I authorized the indictment submitted to the grand jury against the following Operation
7 Safe School defendants who are members of this related action:

- 8 a. David Madlock and Mathew Mumphrey, CR 14-0643 RS
9 b. Latonya Carey, CR 15-0004 MMC
10 c. Darell Powell, CR 15-0006 WHA.

11 3. I also authorized the indictment submitted to the grand jury against the following
12 Operation Safe Schools defendants who are not members of this related action:

- 13 a. Jahnai Carter and Andre Patterson, CR 14-0642 MMC
14 b. Ashley Pharr, CR 15-0007 CRB.

15 4. I authorized prosecution of these individuals because, in my review of the evidence, each
16 person's conduct constituted a federal offense under Sections 841(a)(1) and 860 of Title 21 of the United
17 States Code, and the admissible evidence in each case will probably be sufficient to obtain and sustain a
18 conviction.

19 5. In my review of the evidence of each person's conduct identified above, I did not
20 consider the individual's race. I was unaware of any individual's race at the time I authorized
21 prosecution to the grand jury, and I remained unaware of their race at the time the grand jury returned its
22 indictments.

23 6. In the course of discussing with investigators the types of offenders Operation Safe
24 Schools was targeting (see below), and prior to authorizing the indictments, I recall watching two sets of
25 videos of narcotics transactions. I do not have an independent recollection of who was featured in these
26 videos, but I have been informed that one of them involved William Brown, the defendant in CR 15-
27 0069 TEH. I did not authorize the indictment of that defendant. For the other transactions, the person
28

1 depicted may later have become a defendant in Operation Safe Schools, but I do not know if that is the
2 case. I do not recall the race of the person conducting those narcotics transactions.

3 7. Operation Safe Schools targeted persistent, recidivist, and repeat offenders selling drugs
4 near schools in the Tenderloin neighborhood of San Francisco. I advised personnel from the San
5 Francisco Police Department and the Drug Enforcement Agency of this priority before and during the
6 undercover operations. I also considered the criminal history of the charged defendants prior to
7 authorizing the indictments submitted to the grand jury. I believe that several of the charged individuals
8 in Operation Safe Schools whom I authorized for prosecution are considered Career Offenders under the
9 United States Sentencing Guidelines, as follows:

- a. Andre Patterson, CR 14-0642 MMC
 - b. Darell Powell, CR 15-0006 WHA
 - c. David Madlock, CR 14-0643 RS.

13 Two other charged individuals whom I authorized for prosecution are likely classified in Criminal
14 History Category III.

15 I declare under penalty of perjury that the foregoing factual assertions are true and correct to the
16 best of my knowledge and belief.

Executed on July 16, 2015, in San Francisco, California.


KEVIN J. BARRY
Assistant United States Attorney

1 MELINDA HAAG (CABN 132612)
United States Attorney
2
DAVID R. CALLAWAY (CABN 121782)
3 Chief, Criminal Division
4 J. DOUGLAS WILSON (DCBN 412811)
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10 Attorneys for United States of America

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 v.
17 IVAN SPEED,
18 Defendant.

Case No. 13-CR-753 EMC

**DECLARATION OF DANIEL KALEBA
IN SUPPORT OF UNITED STATES'
MOTION**

20 UNITED STATES OF AMERICA,
21 Plaintiff,
22 v.
23 DAVID MADLOCK and MATTHEW
MUMPHRY,
24 Defendants.

Case No. 14-CR-643 EMC

25 UNITED STATES OF AMERICA,
26 Plaintiff,
27 v.
28 LATONYA CAREY,
Defendant.

Case No. 15-CR-004 EMC

1 UNITED STATES OF AMERICA, Case No. 15-CR-005 EMC
2 Plaintiff,

v.

3 CRYSTAL ANTHONY,
4 Defendant.

5 UNITED STATES OF AMERICA, Case No. 15-CR-006 EMC
6 Plaintiff,

v.

8 DARELL POWELL,
9 Defendant.

10 UNITED STATES OF AMERICA, Case No. 15-CR-027 EMC
11 Plaintiff,

v.

12 DARLENE ROUSE,
13 Defendant.

14 UNITED STATES OF AMERICA, Case No. 15-CR-028 EMC
15 Plaintiff,

v.

17 ACACIA McCNEAL,
18 Defendant.

19 UNITED STATES OF AMERICA, Case No. 15-CR-043 EMC
20 Plaintiff,

v.

21 ANITA DIXON and ERWIN MACKEY,
22 Defendants.

23 UNITED STATES OF AMERICA, Case No. 15-CR-138 EMC
24 Plaintiff,

v.

26 ERWIN MACKEY,
27 Defendant.

1 UNITED STATES OF AMERICA,

2 Plaintiff,

3 v.

4 AARON MATHEWS,

5 Defendant.

Case No. 15-CR-049 EMC

6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 v.

9 NIJAH REED,

10 Defendant.

Case No. 15-CR-050 EMC

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 TIANA REDDIC,

15 Defendant.

Case No. 15-CR-052 EMC

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 TIFFANY CROSS,

20 Defendant.

Case No. 15-CR-059 EMC

21 UNITED STATES OF AMERICA,

22 Plaintiff,

23 v.

24 SHOLANDA ADAMS,

25 Defendant.

Case No. 15-CR-070 EMC

1 I, Daniel Kaleba, declare and state as follows:

2 1. I am an Assistant United States Attorney and Deputy Chief of the General Crimes
3 Section of the United States Attorney's Office for the Northern District of California. I have been
4 delegated the authority by the United States Attorney to commence federal prosecutions, and to
5 recommend prosecutions to the federal grand jury.

6 2. I authorized the indictment submitted to the grand jury against the following Operation
7 Safe Schools defendants who are members of this related action:

- 8 a. Crystal Anthony, CR 15-0005 EMC
9 b. Darlene Rouse, CR 15-0027 EMC
10 c. Acacia McNeal, CR 15-0028 EMC
11 d. Anita Dixon and Erwin Mackey, CR 15-0043 EMC
12 e. Aaron Mathews, CR 15-0049 EMC
13 f. Nijah Reed, CR 15-0050 EMC
14 g. Tiana Reddic, CR 15-0052 EMC
15 h. Tiffany Cross, CR 15-0059 EMC
16 i. Sholanda Adams, CR 15-0070 EMC

17 3. I also authorized the indictment submitted to the grand jury against the following
18 Operation Safe Schools defendants who are not members of this related action:

- 19 a. Irisha Smith, CR 14-0641 WHA
20 b. Lakeysha White, CR 15-0029 EMC
21 c. Hobert Lee, CR 15-0056 EMC
22 d. Ebony Wallace, CR 15-0061 CRB
23 e. William Brown, CR 15-0069 TEH
24 f. Vernon Hill, A/K/A Kali Muhammad, CR 15-0068 CRB

25 4. I authorized prosecution of these individuals because, in my review of the evidence, each
26 person's conduct constituted a federal offense under Sections 841(a)(1) and 860 of Title 21 of the United
27 States Code, and the admissible evidence in each case will probably be sufficient to obtain and sustain a
28 conviction.

5. In my review of the evidence of each person's conduct identified above, I did not consider the individual's race. I did not see any surveillance video related to these cases prior to authorizing the indictments. I was unaware of any individual's race at the time I authorized prosecution to the grand jury, and remained unaware at the time the grand jury returned its indictments.

6. Operation Safe Schools targeted persistent, recidivist, and repeat offenders selling drugs near schools in the Tenderloin neighborhood of San Francisco. I advised personnel from the San Francisco Police Department and the Drug Enforcement Agency of this priority before and during the undercover operations. I also considered the criminal history of the charged defendants prior to authorizing the indictment submitted to the grand jury. I believe that a majority of the charged defendants whom I recommended for prosecution are considered Career Offenders under the United States Sentencing Guidelines, as follows:

- a. Crystal Anthony, CR 15-0005 EMC
 - b. Acacia McNeal, CR 15-0028 EMC
 - c. Anita Dixon, CR 15-0043 EMC
 - d. Erwin Mackey, CR 15-0043 EMC
 - e. Aaron Mathews, CR 15-0049 EMC
 - f. Nijah Reed, CR 15-0050 EMC
 - g. Tiana Reddic, CR 15-0052 EMC
 - h. Tiffany Cross, CR 15-0059 EMC
 - i. Ebony Wallace, CR 15-0061 CRB

I declare under penalty of perjury that the foregoing factual assertions are true and correct to the best of my knowledge and belief.

Executed on July 16, 2015, in San Francisco, California.

Daniel Kaleba
DANIEL KALEBA
Assistant United States Attorney

1 MELINDA HAAG (CABN 132612)
United States Attorney
2 DAVID R. CALLAWAY (CABN 121782)
3 Chief, Criminal Division
4 J. DOUGLAS WILSON (DCBN 412811)
LLOYD FARNHAM (CABN 202231)
5 SARAH K. HAWKINS (CABN 257723)
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10 Attorneys for United States of America
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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 v.
18 IVAN SPEED,
19 Defendant.

Case No. 13-CR-753 EMC

**DECLARATION OF S. WAQAR HASIB
IN SUPPORT OF UNITED STATES'
MOTION**

20 UNITED STATES OF AMERICA,
21 Plaintiff,
22 v.
23 DAVID MADLOCK and MATTHEW
MUMPHRY,
24 Defendants.

Case No. 14-CR-643 EMC

25 UNITED STATES OF AMERICA,
26 Plaintiff,
27 v.
28 LATONYA CAREY,
Defendant.

Case No. 15-CR-004 EMC

DECLARATION OF S. WAQAR HASIB
CASE NO. 13-CR-753 EMC

1 UNITED STATES OF AMERICA, Case No. 15-CR-005 EMC

2 Plaintiff,

3 v.

4 CRYSTAL ANTHONY,

Defendant.

5 UNITED STATES OF AMERICA, Case No. 15-CR-006 EMC

6 Plaintiff,

7 v.

8 DARELL POWELL,

Defendant.

10 UNITED STATES OF AMERICA, Case No. 15-CR-027 EMC

11 Plaintiff,

12 v.

13 DARLENE ROUSE,

Defendant.

14 UNITED STATES OF AMERICA, Case No. 15-CR-028 EMC

15 Plaintiff,

16 v.

17 ACACIA McCNEAL,

Defendant.

19 UNITED STATES OF AMERICA, Case No. 15-CR-043 EMC

20 Plaintiff,

21 v.

22 ANITA DIXON and ERWIN MACKEY,

Defendants.

23 UNITED STATES OF AMERICA, Case No. 15-CR-138 EMC

24 Plaintiff,

25 v.

26 ERWIN MACKEY,

Defendant.

1 UNITED STATES OF AMERICA,
2 Plaintiff,
3 v.
4 AARON MATHEWS,
Defendant.

Case No. 15-CR-049 EMC

5 UNITED STATES OF AMERICA,
6 Plaintiff,
7 v.
8 NIJAH REED,
Defendant.

Case No. 15-CR-050 EMC

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 TIANA REDDIC,
Defendant.

Case No. 15-CR-052 EMC

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 v.
17 TIFFANY CROSS,
Defendant.

Case No. 15-CR-059 EMC

19 UNITED STATES OF AMERICA,
20 Plaintiff,
21 v.
22 SHOLANDA ADAMS,
Defendant.

Case No. 15-CR-070 EMC

1 I, S. Waqar Hasib, declare and state as follows:

2 1. I am an Assistant United States Attorney and have so been since 2004, first in the District
3 of Massachusetts, and then in the Northern District of California, where I am currently assigned to the
4 Special Prosecutions and National Security Unit. From approximately April of 2012 until January of
5 2015, I was the Deputy Chief of the Narcotics/Organized Crime Drug Enforcement Task Force
6 (OCDETF) Unit of the United States Attorney's Office for the Northern District of California. My
7 direct supervisor at that time was Assistant United States Attorney Barbara Silano, who was the Chief of
8 the Narcotics/OCDETF Unit. On several occasions, when AUSA Silano¹ was unable to perform her
9 duties due to medical and other reasons, she appointed me as her Acting Chief. In my capacity as both
10 Deputy Chief and Acting Chief, I was delegated the authority by the United States Attorney, and, in
11 turn, by AUSA Silano, to commence federal prosecutions and to recommend prosecutions to the federal
12 grand jury.

13 2. I have lived in the city of San Francisco periodically since approximately 1987. I went to
14 law school at the University of California, Hastings College of Law in the Tenderloin District of San
15 Francisco from 2001 to 2004. In 2003 and 2004, I lived in the Tenderloin. Since joining the United
16 States Attorney's Office for the Northern District of California in 2007, I have worked in the Tenderloin.
17 Based on these cumulative experiences, I know the Tenderloin to be a small, compact neighborhood
18 where a disproportionately high percentage of low-income families reside. I also know the Tenderloin
19 to be a neighborhood with a disproportionately high crime rate, particularly drug crimes.

20 3. Operation Safe Schools was my idea. The purpose of the operation was to aggressively
21 prosecute drug dealers around schools and playgrounds in the Tenderloin district, in an effort to create a
22 sustainable, long-term improvement in the lives of the many underprivileged children and families
23 residing in and going to school in the neighborhood. I proposed the operation after learning, among
24 other things, that: 27.4% of Tenderloin residents in 2011 lived below the poverty line, compared with
25 11.3% for the rest of the city; the median income in 2011 for the Tenderloin was \$25,471, compared to
26 \$70,770 citywide; 21.8% of Tenderloin residents in 2011 spoke little or no English, compared with

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28 ¹ AUSA Silano has since passed away.

1 13.1% citywide; and population density in the Tenderloin in 2011 was over 4 times the citywide
2 average. In addition, while precise numbers were difficult to confirm in 2011, estimates suggested
3 there were over 3,500 children residing in the Tenderloin. Against this demographic backdrop, I also
4 learned from neighborhood crime statistics that there had been over 350 drug crimes committed in the
5 Tenderloin in just the first four months of 2011, a crime rate that was roughly consistent with previous
6 years.

7 4. In my capacity as Deputy Chief and Acting Chief of the Narcotics/OCDETF Unit, I
8 authorized indictments submitted by AUSAs in my unit charging numerous defendants under the rubric
9 of Operation Safe Schools. I authorized prosecution of these individuals because it appeared to me that
10 each person's conduct constituted a federal offense under Sections 841(a)(1) and 860 of Title 21 of the
11 United States Code, and that the admissible evidence in each case was sufficient to obtain and sustain a
12 conviction. In authorizing these indictments, at no time did I consider the individual's race as a factor in
13 prosecution. Indeed, in the large majority of these cases, I was entirely unaware of any particular
14 individual's race when I authorized presentation to the grand jury.

15 5. In addition to authorizing indictments in my capacity as Deputy Chief and Acting Chief, I
16 also personally handled cases against numerous defendants under the rubric of Operation Safe Schools.
17 One of those defendants, Ivan Speed, is the subject of the instant litigation. In considering whether to
18 prosecute Speed, I recall reviewing a video showing defendant Speed selling cocaine base to a
19 cooperating witness within 1,000 feet of a school. I recall basing my decision to prosecute defendant
20 Speed on the quality of that video.² At no time did I consider defendant Speed's race as a factor in
21 whether to prosecute.

22 6. Operation Safe Schools was first implemented under my supervision both in the
23 Tenderloin, and in other neighborhoods around the Bay Area experiencing similar problems. As part of
24 this implementation, I discussed with law enforcement personnel from the Drug Enforcement
25 Administration, the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and
26 Explosives, the Oakland Police Department, and the San Francisco Police Department that they were to

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28 ² Speed was also charged at that time by another AUSA in a separate case for being a felon in possession of a firearm. See *United States v. Speed*, 14-CR-119-EMC

1 target recidivist, repeat offenders who were selling drugs near schools. In particular, I discussed with
2 them that one of the most important factors in my decision to prosecute and to authorize prosecution was
3 the criminal history of the targeted defendants. At no time did I advise law enforcement personnel to
4 take race into consideration when targeting defendants. I know that several of the defendants in
5 Operation Safe Schools whom I either prosecuted myself or authorized for prosecution potentially
6 qualified for Career Offender status under the United States Sentencing Guidelines. This includes
7 defendant Speed.

8 I declare under penalty of perjury that the foregoing factual assertions are true and correct to the
9 best of my knowledge and belief.

10 Executed on July 16, 2015, in San Francisco, California.

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13 S. WAQAR HASIB
14 Assistant United States Attorney
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